

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**COLT'S MANUFACTURING COMPANY  
LLC,**

**Plaintiff,**

**v.**

**ACUSPORT CORPORATION,**

**Defendant.**

**Case No. 2:18-cv-247**

**Judge George C. Smith**

**Magistrate Judge Chelsey M. Vascura**

**STATUS REPORT AS RELATED TO BANKRUPTCY PROCEEDING**

Colt's Manufacturing Company LLC, by and through counsel, hereby submits its status report regarding the AcuSport Corporation n/k/a ASPC Corp. ("ASPC") bankruptcy proceeding in the United States Bankruptcy Court for the Southern District of Ohio ("Bankruptcy Court") on May 1, 2018. The bankruptcy case was assigned Case No. 2:18-bk-52736.

On January 28, 2019, an Order Confirming an Agreed First Amended Plan of Liquidation of Debtor and Official Committee of Unsecured Creditors ("First Amended Plan") was entered by United States Bankruptcy Court for the Southern District of Ohio. Pursuant to the Order Confirming Agreed First Amended Plan of Liquidation. Pursuant to this First Amended Plan, the Bankruptcy Court approved a creditor trust agreement and the appointment of Lawrence V. Goddard of BDO USA, LLP, as creditor trustee. Pursuant to the First Amended Plan, the effective date of the plan was April 1, 2019. Further dates as related to rejection damage claims and professional fee claims were subsequently scheduled. ASPC is required to file transmittal of quarterly post-confirmation reports. The transmittal of quarterly post-confirmation report for the quarter ending September 30, 2019 was filed on October 29, 2019. ASPC is in the process of making payments to professionals, negotiating with creditors whose claims are the subject of the

first and second omnibus objections to claims, which does not include Colt's Manufacturing Company LLC. ASPC further reported that it is in the process of conducting additional claims reconciliation activities; advancing pending litigation against Smith & Wesson, including initial settlement discussions; and investigating and preparing additional avoidance actions for filing. Further, the creditor trustee has reported that he is making initial preparations for first distribution to holders of allowed general unsecured claims.

Based upon the continuing quarterly post confirmation report status updates, it is expected that a first distribution to creditors will be prepared by the creditor trustee. Based upon the post-confirmation status reports being filed in the bankruptcy proceeding and this Status Report, the undersigned hereby requests that this action continue to be stayed and that the plaintiff be required to make a further status report to this Court on or before April 15, 2020 and/or to dismiss this action pursuant to the bankruptcy proceedings and the payment of allowed unsecured creditors within the bankruptcy action.

Respectfully submitted,

/s/ Brenda K. Bowers

William D. Kloss, Jr., Trial Attorney (0040854)

Brenda K. Bowers (0046799)

Vorys, Sater, Seymour and Pease LLP

52 East Gay Street

P.O. Box 1008

Columbus, OH 43216-1008

Telephone: (614) 464-6290

Facsimile: (614) 719-5001

E-Mail: wdklossjr@vorys.com

E-Mail: bkbowers@vorys.com

*Attorneys for Plaintiff,*

*Colt's Manufacturing Company LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of this Status Report was served on  
November 21, 2019 via regular U.S. Mail, postage prepaid, upon the following:

Thomas R. Allen  
Allen Stovall Neuman Fisher & Ashton LLP  
17 South High Street  
Suite 1220  
Columbus, OH 43215  
*Counsel for AcuSport Corporation n/k/a ASPC Corp.*

and

Jason J. DeJonker  
Bryan Cave Leighton Paisner LLP  
161 North Clark Street, Suite 4300  
Chicago, IL 60601  
*Counsel for AcuSport Corporation n/k/a ASPC Corp.*

/s/ Brenda K. Bowers  
William D. Kloss, Jr., Trial Attorney (0040854)  
Brenda K. Bowers (0046799)